

# Senate of Maryland

BY SENATORS BYRON AND HOYER—Judicial Proceedings

By the SENATE, February 20, 1967.

Introduced, read first time and referred to the Committee on Judicial Proceedings.

By order, J. WATERS PARRISH, Secretary.

## JOINT RESOLUTION

No. 30

Senate Joint Resolution commending the Citizens' Commission on the General Assembly and its Chairman George S. Wills for their study and recommendations for the modernization of the Maryland Legislature.

1 WHEREAS, Upon the initiative of the Young Democratic Clubs  
2 of Maryland, and in conjunction with the Young Republican Clubs  
3 of Maryland and other civic and political groups; a citizens commis-  
4 sion was established to study and recommend changes for the  
5 modernization of the Maryland Legislative branch of government;  
6 and

7 WHEREAS, The Citizens' Commission on the General Assembly  
8 has recently issued a report on its study of the Maryland Legislature  
9 to the Citizens of Maryland and the General Assembly; and

10 WHEREAS, The report is a thorough and comprehensive statement  
11 of many reforms necessary to the establishment of an effective  
12 and efficient Legislative Branch of our State Government; and

13 WHEREAS, These members and their Chairman devoted their time  
14 and labor, without monetary compensation, for the betterment of  
15 their State; and

16 WHEREAS, The conscientious and public spirited members of the  
17 Commission have served with great ability and distinction; and

18 WHEREAS, The Commission has rendered a significant service to  
19 the State of Maryland; now, therefore, be it

EXPLANATION: *Italics indicate new matter added to existing law.*  
[Brackets.] indicate matter stricken from existing law.

## SENATE JOINT RESOLUTION NO. 30

20 *Resolved by the General Assembly of Maryland,* That the Commis-  
21 sion and its Chairman George S. Wills be commended for a job well  
22 done; and be it further

23 *Resolved,* That copies of this Resolution be sent to George S. Wills  
24 and the Citizens' Commission on the General Assembly and its  
25 individual members.



HOUSE RESOLUTION NO. 61

By Delegates Epstein and Orlinsky

House Resolution commending the Citizens' Commission on the General Assembly and its Chairman George S. Wills for their study and recommendations for the modernization of the Maryland Legislature.

WHEREAS, Upon the initiative of the Young Democratic Clubs of Maryland, and in conjunction with the Young Republican Clubs of Maryland and other civic and political groups; a citizens' commission was established to study and recommend changes for the modernization of the Maryland Legislative branch of government; and

WHEREAS, The Citizens' Commission on the General Assembly has recently issued a report on its study of the Maryland Legislature to the Citizens of Maryland and the General Assembly; and

WHEREAS, The report is a thorough and comprehensive statement of many reforms necessary to the establishment of an effective and efficient Legislative Branch of our State Government; and

WHEREAS, These members and their Chairman devoted their time and labor, without monetary compensation, for the betterment of their State; and

WHEREAS, The conscientious and public spirited members of the Commission have served with great ability and distinction; and

WHEREAS, The Commission has rendered a significant service to the State of Maryland; now, therefore, be it

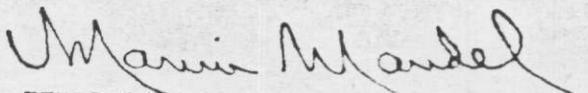
*Resolved by the House of Delegates of Maryland, That the Commission and its Chairman George S. Wills be commended for a job well done; and be it further*

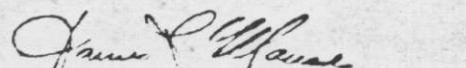
*Resolved, That copies of this Resolution be sent to George S. Wills and the Citizens' Commission on the General Assembly and its individual members.*

By the House of Delegates, February 28, 1967.

Read and adopted.

By order, James P. Mause, Chief Clerk.

  
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Speaker of the House.

  
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Chief Clerk.

# Assembly Still Needs to Make Major Reforms



By  
Jack  
Eisen

"OWING TO antiquated organization and procedures, the legislative branch of Maryland government has failed to meet the demands placed on it."

A year has passed since these words were published by the Citizens Commission on the General Assembly. Its report — it might be called a friendly indictment — was accepted amid fanfare by the leadership of the General Assembly, which proceeded to ponder its four dozen recommendations.

Some of these, including a few important ones, have been accepted. But in the

opinion of the Citizens Commission's chairman, George S. Wills, the most important ones are yet to be carried out and should be acted upon at the session that begins next Wednesday.

If they are not adopted before Maryland voters decide whether to ratify the proposed new Constitution in a May 14 referendum, Wills said in an interview, the legislature may find itself unable to cope with an expected heavier workload. In the process, it may condemn itself to a permanent weak-sister role, with far less influence over State operations than the governor.

The first impact of the greater workload may come next summer and fall at a lengthy special session. This probably will be convened to enact laws required to carry out provisions of the new Constitution.

Most urgent among the recommendations, Wills said, are these:

- The Legislature must empower its committees to meet and hear witnesses on a year-round basis, not merely during the hectic hurly-burly of legislative sessions.

- It must accept the need for adequate professional staffing of these committees, again on a permanent basis, similar to that in Congress.

- Finally, in view of the \$8000 minimum annual salary voted by the Constitutional Convention for legislators, the lawmakers must eliminate the financial prerogatives—per diem allowances during sessions and a generous retirement program—that make them look like they are riding the gravy train.

The last point is especially important, Wills said, because the first two costly proposals will require public support and confidence in the Legislature's aims.

Wills, associate public relations director of Johns Hopkins University and immediate past president of the Maryland Young Democrats, praised the legislative leadership for its receptiveness to the Commission's proposals.

SEVERAL IMPORTANT changes already have been carried out or are in the works, Wills said—notably the expected creation of a joint House-Senate committee to oversee State budgeting and finances throughout the year.

Wills credited Sen. Blair Lee III (D-Montgomery) for winning the leadership's support for this reform. Lee, he said, has been the

staunchest supporter for the Commission's proposed reforms in the General Assembly.

Another impending reform, which may make some old legislative hands unhappy, is House Speaker Marvin Mandel's proposed consolidation of nine House of Delegates committees—some of them ineffectual and relatively inactive—into four committees, all to be regarded as major. Only two now have that status.

The lawmakers made unhappy will be the committee chairman who must trade that status for less exalted

roles as heads of subcommittees within the new units. There will be far more gainers, however, since every delegate will have a seat on a major committee, with greater involvement in and responsibility for important legislation.

But the next, and most urgent, step will be year-round committee activity, with adequate staffing, in Wills view.

AT PRESENT, regular General Assembly committees have staff assistance only during sessions, drastically limiting the availability of qualified personnel. When sessions end, someone piles the too-sketchy committee records into a closet and everybody goes home.

The next year the process again starts from scratch. Even if an issue is raked over during the recess by the Legislative Council or a special but powerless interim committee, the expertise and continuity that could be provided by having the same committee membership and a permanent secretariat is lost.

This is especially troublesome since bills covering a wide range of social, legal, economic and otherwise technical subjects are growing increasingly more sophisticated and complex.

In Wills' opinion, there is hope. "The Legislature is about where Congress was 20 years ago in staffing and operations, and realization of the need for improvement. There has been a good beginning, but it must be recognized for what it is—a beginning."

## The Eye of Reform

This might be called the Year of Searching Examination for Maryland State Government. Though organized in 1965, the Constitutional Convention Commission will do its definitive work this year in determining just how the State Constitution should be rewritten to make of it an effective instrument of government.

Then Governor Tawes, adopting a perennial Republican idea, announced that a study commission would be set up to examine the entire structure of the Executive Department with an eye to major reorganization.

If the findings of these studies are translated into concrete results, they will have a far-reaching effect on the machinery of State Government.

Still a third study got under way Saturday when the Young Democratic Clubs took their first look at the things that are wrong with the General Assembly. A Y.D.C. committee has been appointed to examine all aspects of the legislative system, from length of terms to the procedures for handling bills.

It heard some expert testimony on the shortcomings of the Legislature's committee system from one who knows them, House Speaker Marvin Mandel. Mr. Mandel said each house should have five or six important committees instead of two, and his point is well taken. In the House, the committees are Ways and Means and Judiciary. During the 1957 and 1963 sessions they handled 74 per cent of all bills. Their counterparts in the Senate, Finance and Judicial Proceedings, handled 83 per cent of all bills. The pattern was no different this year.

Funneling so much work into only four committees obviously militates against efficiency and places too much power in the hands of the four chairmen. And as Delegate Julian Lapidus, of Baltimore, pointed out to the Y.D.C. the fact that a majority of legislators do not serve on these committees means that a great deal of ability is not used.

In its handbook on the General Assembly, the League of Women Voters notes that "Few states concentrate committee work as much as Maryland but it is a pattern based on long tradition." When a tradition leads to legislative mediocrity, as this one has, it should be abandoned.

Though the Y.D.C. examination has neither the official sponsorship nor the government funds which support the other studies, it has gotten off to a good start, and Marylanders who winced at the Legislature's recent ineptitude will welcome it.

## Democrat Unit Seeks Reform In Legislature

By Jerome Kelly

Maryland's Young Democrats have been looking over the shoulders of their elders in the General Assembly, and apparently they don't like what they see.

As a result, they'll start a "long-range study" aimed at streamlining the legislative process and drawing more capable lawmakers to Annapolis.

The program was announced today by Richard C. Lewin, president of the Young Dems, "in the wake of the defeats of the Cooper-Hughes tax reform and Niles judicial plan" at the hands of the legislature.

Opens April 16

He appointed George S. Wills, chairman of the organization's Issues and Legislative Committee, to direct the study, which opens with a meeting April 16 at the University of Maryland Law School.

At that time, Delegates Julian Lapidus (D., Second Baltimore) and Goodloe Byron (D., Frederick), two of more than a dozen Young Democrats in the General Assembly, will testify on existing legislative procedures.

Mr. Wills said he welcomes participation and recommendations from other members of the Legis-

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## Democrat Unit Eyes Reforms

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lature as well as other "interested parties, including Republicans."

He said the study will go into the "feasibility of larger salaries to attract career legislators."

As presently constituted, he

## LEGISLATIVE CHANGE ASKED

### Committees Hold Key, Mandel Tells Young Democrats

The speaker of the Maryland House of Delegates told a special Young Democratic study commission yesterday that reorganization of the committee structure is the first step toward building a more efficient and streamlined General Assembly.

Delegate Marvin Mandel (D., Fifth Baltimore), the house speaker, also told the special commission that the General Assembly can be improved by permitting the filing of bills before a session opens and providing "adequate staff" to committees and leaders.

He and two other legislators testified at the first session of the special group formed by the Young Democratic Clubs of Maryland to study and propose changes in the organization and procedures of the Maryland Legislature.

Mr. Mandel and the other lawmakers commended the group on its aims and undertaking, but the speaker warned them that the time for change in methods in Annapolis is now.

"Once the reapportioned Legislature goes into session and sets up its structure and makes its rules, change will be hard," he told the group, which the Young Democrats are calling the Wills Commission, after its chairman, George Wills, a member of the public relations staff at the Johns Hopkins University.

presently constituted, he claimed, the legislature attracts two kinds of persons: "The wealthy man who thinks he has something to contribute and the political hack who makes money down at Annapolis."

Mr. Wills said the committee will also examine the problems of the seniority system and the length of present sessions.

Noting that more than 2,000 bills were introduced at the recent regular 70-day session, he declared:

"The fact that the Governor had to call a special session at the end of those 70 days indicates that something is wrong in Annapolis, and that operational improvements in the Legislature are necessary."

Mr. Mandel, saying that he feels the committee structure "definitely should be changed," stated that he favors having "five or six major committees" in each house, rather than the present powerful pair in each.

Now, he continued, only about 60 men serve on the major committees. With more major bodies, he maintained, all legislators could serve, thus cutting down on overlapping of committee memberships while making all men feel they are important cogs in the legislative process.

"I think this would increase the efficiency of the Legislature tremendously," Mr. Mandel said, predicting that committee reorganization "probably will be done at the next session."

The committee system also was discussed by another speaker, Delegate Julian Lapidus (D., Second Baltimore), who called for smaller committees or the creation of subcommittees and was generally critical of the present set-up.

"On existing committees," he told the commission, "I think the political hacks are appointed because the Governor has to control these votes. These are some outstanding men in Annapolis whose talents aren't utilized."

Mr. Lapidus, unlike Mr. Mandel, is not a member of the power structure in Annapolis. He was the only speaker yesterday who looked beyond the walls of the Legislature for a means of improving the General Assembly.

He further promised that the study committee would look into the possible need of larger professional staffs for individual assemblymen and their committees, and the possible use of automation to speed the legislative flow.

To Aid Commission  
Both Mr. Lewin and Mr. Wills stated that the Young Democrats will work closely with the Governor's Constitutional Convention Commission, which is attempting to update the State's basic law.

John C. Brooks, executive director of the commission, said that the recommendations of the Young Democrats "will be useful in the broader examination of the legislative branch of government."

The Young Democrats said their meetings will be held throughout Maryland during the next several months in order "to facilitate the broadest possible participation."

## LEGISLATORS MAP INTERIM CHANGES

### Rules Unit To Study Major Legislative Council Shifts

Annapolis Bureau of The Sun

Annapolis, Aug. 15—Legislative leaders decided tonight to move toward major revision of the between-session activity of the General Assembly.

The powerful Rules Committee of the Legislative Council instructed its secretary to draw up a plan which would create permanent joint committees to operate between sessions under the direction of a steering committee of top legislative officers.

#### Fellow Present Structure

The legislative Council itself would be reduced from 30 to 20 members and its function would change from that of an investigative group to that of channeling proposed legislation and studies to other committees.

But the Council, as the Policy Steering Committee, would retain the power to approve proposed bills after they are studied by the joint committees and before the bills go to the full assembly for action at the annual 70-day session.

The new interim joint com-

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## LEGISLATORS MAP INTERIM CHANGES

### Rules Unit To Study Major Legislative Council Shifts

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mittees would follow closely the present committee structures in the House and Senate during the sessions.

The revisions, still in the early stages of planning, are designed to bring every one of the 185 legislators into between sessions roles and put them on a year-round duty basis.

Tonight's meeting of the council Rules Committee saw general approval from both senators and delegates for the plan, introduced by Delegate Marvin Mandel (D., 5th Baltimore), speaker of the House.

Senator William S. James, (D., Harford), president of the Senate, had suggested that the "upper chamber" might not respond kindly to the plan, since on each joint committee the senators would be in a minority.

Other senators on the Rules Committee pointed out, however, that the interim committees would only be able to recommend actions and that the Senate would have veto power over their recommendations during the assembly sessions.

#### 4 To 5 New People

Carl N. Everstine, secretary and research director of the Legislative Council, said that providing the committees with year-round staff members would probably add only "four or five" people to the payroll.

The plan for expanding the "off-season" duties of the legislators apparently will not include boosting their basic pay, but members of the legislative council now receive \$20 for each meeting they attend.

The plan, to be put in written form by Mr. Everstine, will be returned to the Rules Committee next month for further consideration.

The move toward a more full-time Legislature won the backing of the chairman of the Citizens Committee on Maryland Government, George S. Wills chairman of that committee came to the session tonight to call the revisions as important to State Government as constitutional reforms.

## STUDY IS SLATED OF LOCAL BODIES

Wills To Head Investigation  
Of Governments In State

By OSWALD JOHNSTON

The Greater Baltimore Committee is planning to sponsor and finance a full-scale study of local government in Maryland.

In an announcement yesterday, William Boucher 3d, executive director of the group, disclosed that its members have already chosen as director of the new study George S. Wills, a Johns Hopkins University official whose self-appointed commission to study the General Assembly last year gained the support of many legislative leaders.

The new Wills commission, which is virtually certain to re-

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## LOCAL BODIES TO BE STUDIED

Wills To Head Investigation  
Of Governments In State

By OSWALD JOHNSTON

(Continued from Page C 18)

ceive a formal blessing this week from the Greater Baltimore Committee's own local government subcommittee, is to begin holding hearings in the fall and submit a report next year.

### Compared To Convention

The study is considered by Mr. Wills a kind of functional counterpart to the Constitutional government in the State.

Its focus, he said, would be on the legislative and administrative problems that are certain to arise if the convention, following the Eney Commission draft, grants home rule to all the counties that are at present dependent on the General Assembly for their laws.

The study was initially proposed by Milton H. Miller, a member of the Baltimore County Council, who expressed its purpose this way: "Local government has not kept pace with state and federal governments in modernizing its legislative and executive branches.

"The Wills commission study will point the way to that modernization and encourage local governments to take a long, hard look at their operations," Mr. Miller added.

### All Areas Involved

Mr. Wills, looking ahead to the commission's task, stressed yesterday that the study will deal fully with the rural counties of Southern and Western Maryland and the Eastern Shore as well as the Baltimore and Washington metropolitan areas.

In this the commission's study will be considerably broader in scope than the Hooper S. Miles Commission study of 1963, which was limited entirely to Baltimore metropolitan area problems.

While that commission, named by Gov. J. Millard Tawes in 1961 amid much fanfare, produced the legislation that established the Regional Planning Council on a statutory basis, many of its more functional recommendations ended only in bickering among the local governments involved.

### Plans Not Accepted

These included an area water and sewage district plan that was completely unacceptable to Baltimore city, a regional jail plan that was unacceptable to Baltimore county and a regional income and sales tax plan that was unacceptable to almost every government outside the city.

That study also was partly supported by the Baltimore Metropolitan Committee, although most of its two-year budget of \$105,000 was borne by the State and by Baltimore city.

No budget has yet been set for the new study, which is still in an early planning stage.

### Alde Named

However, Mr. Wills announced yesterday that Jonathan L. Alpert, who served as executive secretary to the Wills study of the Legislature, will serve in the same position on the new commission.

He said also that several experts in the field of governmental organization and administration have agreed to help out the commission as consultants.

These are Dr. Jean E. Spencer of the University of Maryland, staff inspector of the Curlett Commission on modernizing the State executive branch of government and presently an adviser to Governor Agnew's "task force on modern management"; Dr. Robert Levy, Goucher College professor of political science, and Dr. Francis E. Rourke, chairman of the Johns Hopkins University political science department and vice chairman of the Curlett Commission.

In addition, John C. Byrnes, a delegate to the Constitutional Convention from Baltimore's Third district, has agreed to serve as liaison between the commission and the convention.

# Is The Legislature Amateurish And Outdated?

By JOHN DORSEY

"AMATEURISM." Jesse Unruh, speaker of the California Legislature, said, "may be acceptable in getting ready for the first time, or qualifying for the Olympics, but it has ceased to be useful in state government."

Some of the operations of Maryland's legislature, despite the political acumen of its members, are depressingly amateur and thoroughly outdated. For instance: the legislature keeps no tabulation of the number of bills it considers, or even of the number it passes, toward the end of a legislative session, only because the sessions aren't long enough, and partly because there is no provision for filing of bills before the session opens; members must consider many bills so fast that probably in many cases they don't know what they are voting on.

Most Senate and House committees have no transcript or other formal record of their meetings. The Legislative Reference Service is understaffed and overworked. Ten people or fewer do research and prepare about 2,000 pieces of legislation within 40 days. It works out to about seven bills per day—and in addition they must have an uncounted number of bills that never reach the floor of either house, and numerous amendments to bills that do. So great are the inadequacies of staffing provisions for members of the legislature that in 1966 African House members had to hire their own staff member and pay him from their own pockets.

## Auditing Of Executives

There was a change this year, but in 1967 there were seventeen standing committees of the Senate. In 1966, 10 of them considered not a single bill. The legislature at present has no office of auditing executive departments. State auditor, the only one who audits executive departments, is not an officer of the executive

branch. Members of the House of Delegates have no offices in Annapolis.

Legislators' pay is established by constitutional provision. It is \$2,400 a year, and because it is so low other payments are tacked on that bring legislators' real pay up to about \$5,000 a year. But many payments, though legitimate, are hidden from public view. As a result the public easily gets the impression legislators line their pockets with monies they are not entitled to.

All these shortcomings—and many more—limit the legislature's effectiveness in dealing with State problems. As one critic has put it: "The Federal Constitution, as originally conceived, left most governmental functions to the sovereign states. But when America changed from an agrarian to an urban society, the states were simply unable to provide the necessary governmental action. Consequently, the locus of power has shifted to the Federal Government and the states have been the victim of a decline in power and prestige. Much of this loss of power can be placed squarely at the door of state legislatures."

## Sweeping Changes Urged

Earlier this year a report appeared suggesting sweeping changes in the legislature. The report is the work of a non-partisan committee called the Citizens' Commission on the General Assembly. It is better known as the Wills Commission in reference to its chairman, George S. Wills. The group was organized in March, 1966. Originating in the Issues and Legislative Committee of the Maryland Young Democrats, the commission grew out of citizen interest. It developed and printed its 58-page report in nine months, and cost the taxpayers of Maryland nothing.

As Frank Proctor, chairman of the commission's subcommittee on committee organization, recalls, "the Issues and Legislative Committee drew up a proposed working draft of a new consti-

tution in 1964. We were looking for another major project, and since the executive and judiciary branches of the government either had been or were under study we decided on the legislative branch." Mr. Wills became chairman of the commission because he was head of the Issues and Legislative Committee. He is associate director of public relations at the Johns Hopkins University.

The commission has no official connection with the Constitutional Convention Commission, though members of the latter commission have served as consultants to the former. "We are grateful for the Wills Commission's study," says John C. Brooks, executive director of the Constitutional Convention Commission, "because we wanted to have each branch of the State government undergo such a study. When the new constitution is written it will be more general in scope than the present one, and leave many specific areas untouched. As a result, the legislature will have to deal with new problems of self-regulation and organization and it is important that they have at their disposal guidelines such as those set down in the Wills Commission report."

## Commission Enlarged

Shortly after its original organization the commission was enlarged to include members of the Young Republican Clubs and interested citizens, many of them prominent men. "I think it was remarkable that in an election year we were able to carry on a non-partisan study of this kind," Mr. Wills says. "We had the cooperation of everyone we asked."

The 51 members of the commission gave their time on a volunteer basis, in addition to their regular jobs. That is one of the reasons the total cost of the study was kept down to about \$10,000. The study was partly financed by a

grant from the Citizens' Conference on State Legislatures, which in turn is supported by the Ford and Carnegie Foundations. Other money came from Maryland businesses and the Young Democrats.

The principal members of the commission, those chiefly responsible for the drafting of the report, were Mr. Wills; Mr. Proctor, a public information representative of the Johns Hopkins Applied Physics Laboratory; John A. Lewis 3d, systems engineer; William Bradford, lawyer, and Kenneth Quinn, of the University of Maryland's government and politics department. Jonathan L. Alpert, University of Maryland Law School student, served as executive secretary of the commission.

Other members include Clarence W. Miles, former gubernatorial candidate; Dr. Harry Bard, president of Baltimore Junior College and member of the Constitutional Convention Commission; W. Griffin Morrel, Jr., vice president of the Maryland National Bank; Frederick L. Wehr, former president of the Baltimore Chamber of Commerce, and other lawyers, professors and business men.

The commission held a total of eighteen public hearings, beginning April 16, 1966. "We formally interviewed about 40 people, and the informal interviews individuals conducted brought the total to 100 or more," Mr. Wills says. Governors Tawes and Agnew, Senate President William James, House Speaker Marvin Mandel and both Maryland United States Senators were among those interviewed.

"Some of our problems," recalls Mr. Alpert, "included setting up hearing times convenient to those we wanted to talk to, finding a place to hold hearings, finding someone to make transcripts for little money, and finding out what to ask. Sometimes, particularly at first, we found after a hearing that we didn't

have all the information we needed simply because we hadn't asked the specific questions that would elicit the specific facts."

After a last-minute rush—"we were working around the clock," Mr. Wills recalls, "and we couldn't have done it without the help of the Goucher and Hopkins students who gave their time during the final preparation"—the report was published just before the General Assembly met in January. The recommendations it made include:

The legislature and the new constitution: the constitution should remain silent on internal legislative operations, so that it will not be cluttered up with amendments as time passes and so that the legislature will be free to keep modernizing itself without the necessity of resorting to the complicated and time-consuming amendment process; the legislature should be required to reapportion itself, if necessary, after each ten-year census; the constitution should not have length-of-session provisions, and the legislature should set a limit of 90 days on its sessions.

## Salary Boost

The establishment of legislative salaries should be removed from the constitution, the legislature should set the salary of its members at \$6,500, and per diem payments should be abolished; the Constitutional Convention Commission should "promulgate a proposal for a unicameral legislature in addition to the existing proposal for a bicameral General Assembly."

House and Senate organization and committee organization: the legislature should adopt a consent calendar to speed up action on noncontroversial bills; House and Senate committees should be reduced from sixteen to seven and five, respectively; House and Senate substantive committees should operate on a year-round basis; the Legislative Council should be strengthened, and

should oversee the operations of the committees meeting on a year-round basis; committees should keep records of their meetings; committees and the Legislative Council should hold public hearings with adequate public notice.

Budget and finance: both houses should take a more careful look at the executive budget, and committees should meet to consider the budget on a year-round basis; a joint budget planning committee made up of members of both houses should be established; budget proposals should be accompanied by fiscal notes projecting the probable cost of new or enlarged programs over a number of years; the budget should reach the floor for final reading not less than fifteen days before the end of the session; there should be a legislative auditor, solely controlled by the General Assembly, to conduct audits of executive departments; the staffs of the Ways and Means and Finance committees should be enlarged.

Legislative staffs: should be increased; the Legislative Reference Service staff should also be increased; better physical facilities for the legislators (particularly office space) should be provided; the legislature should study automation procedures.

Home rule: multi-optional home rule procedures should be adopted, so that individual counties would have an easier time establishing home rule and the legislature would be relieved of its present burden of enacting local legislation. At present, "almost 50 per cent of the bills considered by the legislature during any given session are local in nature rather than being genuinely statewide."

## Conflict Of Interest Law

To increase public confidence in the legislature: a strong conflict of interest law should be enacted; a board of ethics should be established; lobbyist laws should be strictly enforced; all

Continued on Page 3

Wallace Cook

# A Report On The Legislature

Continued from Page 1

costs of running the legislature should be enumerated in the public record. "The legislature owes a duty to the public to make the reasons for all expenditures clear and to provide adequate justification for legislative expenses."

George H. Morgan, field director of the Citizens' Conference on State Legislatures, which has worked with groups in 38 states that want to modernize their legislatures, says that "the Wills Commission report is among the four best that have come from citizen and citizen-legislature groups around the country. This one, actually, is more frank than the rest, perhaps because the commission here was not partly a legislative committee. The report may make the Maryland legislature look backward, but from my experience—and I've worked with these commissions in 23 states myself—Maryland is no worse off than most other states. They are all behind the times."

Mr. Wills emphasizes that the report was not intended as a directive to the legislature. "We know that many members of the General Assembly recognize the need for modernization, and that with a new constitution the legislature will have to make a lot of changes. We felt our report could be used as a guide. I was particularly anxious that it be not too long or too dry, so that people would read it through."

## Some Results

So far, Mr. Wills feels, there have been some results: "The Legislative Council has set up a budget committee to scrutinize the executive budget on a year-round basis," he says. "The number of House and Senate committees has been reduced, as we suggested. Money has been appropriated for legislators to hire administrative help between sessions. And the money will be processed through the accounting office of the General Assembly in a way that

will make it clear that the legislators aren't taking the money for their own use.

"An interim committee was appointed to study both our report and the forthcoming report of the Eagleton Institute." (Commissioned by the General Assembly at a cost of \$20,000 to do a study of the legislature, the Institute is expected to publish its report in the fall. Because it will probably include cost analysis and other specifics, the Eagleton report is expected to complement rather than duplicate the Wills Commission report.)

"A committee has been set up to study automation. Bills were introduced to lengthen the session to 90 days, to increase salaries and to appoint a legislative auditor. Those bills weren't passed, but at least the legislature is beginning to consider those problems."

"More generally," Mr. Wills contends, "I think you could say that the report and our continuing interest were part of the reason the General Assembly had a much more productive session this year than last."

On the legislative side, Mr. Mandel is more cautious about the effect of the report. "I wouldn't say that the changes have been directly the result of the report," he says. "But it has focused attention on areas where the legislature needs help and maybe we've done things a little more quickly than we would have without the report. The most significant of its findings, I think, is that we need larger staffs and better facilities."

The commission's work is not over. It still meets, and plans to keep its report before the people. It has already arranged a seminar on automation, and plans subsequent reports in specific areas. "Now that the report is out," Mr. Wills says, "we have to see how we can help to get our recommendations acted upon. That job has only started."

## Mahoney's Assembly Plan Asked

By CHARLES V. FLOWERS

An unofficial nonpartisan study group is trying to find out whether George P. Mahoney has any thoughts about modernizing the Legislature.

George S. Wills, chairman of the Commission on the General Assembly, said yesterday he wrote to Mr. Mahoney asking him to testify before the group. Mr. Mahoney is the apparent Democratic nominee for governor, though the official results of the close primary election have not been announced.

"It is time to look beyond the emotion-charged open-occupancy issue on which your views are already known," Mr. Wills said in the letter. "Maryland's citizens expect opinions on the complicated and pressing questions of tax reform, State Government reorganization, economic development and State relations with the Federal Government."

Mr. Mahoney opposes open-housing legislation.

### Broad Range

The study commission wants Mr. Mahoney to comment on House and Senate organization, committee operations, finance and legislative oversight of the executive department budget, and professional staffing.

In his letter to Mr. Mahoney, Mr. Wills said:

"Mr. Spiro T. Agnew, the Republican candidate, and your major Democratic primary opponents have already gone on record for improvements in the complex operations of the General Assembly. The commission believes a more effective State Government necessitates your going on record before the November election.

"The commission regrets not having invited you to testify during the primary campaign. However, your acceptance of invitations to testify at several issues

forums, followed by a failure to appear, gave us little hope that your views on legislative modernization could be examined."

Mr. Wills said he thought Mr. Mahoney has an "obligation to the people of Maryland" to accept the invitation to testify.

The Commission on the General Assembly was originally organized by the Young Democratic Clubs of Maryland but now includes Young Republicans and a panel of interested citizens in its membership.

### Publication Expected

Mr. Wills's group expects to publish its recommendations for modernization of the General As-

sembly this fall. Included in the report will be proposals for seven year-round committees staffed jointly by members of the House and Senate, longer sessions than under the present limitation of 70 days annually, increased salaries of legislators from \$2,400 to \$10,000, and enlarged technical staffs.

Besides getting the views of all the major gubernatorial candidates except Mr. Mahoney, the commission has taken testimony from Maryland's United States Senators, Daniel B. Brewster and Joseph D. Tydings, and from William James, president of the State Senate, and Marvin Mandel, Speaker of the House.

Editorial, The Baltimore Sunpapers



**THE SUN**

Published Every Sunday By  
**THE A. S. ABELL COMPANY**  
 WILLIAM F. SCHMICK, JR., PRESIDENT

Entered at the Post Office at Baltimore as  
 second-class mail matter

**Rates by Mail Outside Baltimore**

	Morning	Evening	Sunday
1 month .....	\$1.65	\$1.65	\$1.00
6 months .....	\$8.90	\$8.90	\$5.00
1 year .....	\$15.80	\$15.80	\$10.30

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**Mr. Mahoney Speaks**

George P. Mahoney had some reassuring things to say in his appearance before the bipartisan Commission on the General Assembly. One can take heart, for example, at his expressed "desire" to have a balanced State budget, since a balanced budget has long been considered an implicit constitutional requirement in Maryland. One can also feel relieved that Mr. Mahoney has no immediate plans to alter Maryland's bicameral legislative system, saying, instead, that he will "go along with the present setup until I get my feet on the ground."

The public would have benefited, however, if Mr. Mahoney, in saying that members of the General Assembly should be paid "something like \$10,000 a year," had shown some awareness of a closely related State constitutional question on the November 8 ballot. The State Constitution at present says that Maryland legislators are to be paid \$2,400 a year. The proposal on which Marylanders are to vote is one that would strike the salary limit from the Constitution and permit the General Assembly itself after next January 1 to set the compensation for legislators.

Is it Mr. Mahoney's position that Marylanders should vote for the amendment to allow the General Assembly to set the salaries of its members? And if so, is it his position that the legislators should raise their salaries to something like four times the present level? Here is a subject of quite some current interest to Maryland voters, because it is one on which they are expected to vote at the same time they vote for governor and for members of the General Assembly. Encouraged by Mr. Mahoney's preliminary brush with a few of the many current State issues, the public can hope that he will go on to answer more specifically these and other questions which are pertinent in a gubernatorial campaign.

# Mahoney Wants Time to Study Assembly Needs

By FRANK DIFILIPPO

Democrat George P. Mahoney, who claims his opponent is the "state of things as they are," indicated last night he opposes changes in the General Assembly until he becomes familiar with its operation.

The nominee for governor did, however, say he would raise legislators' salaries, possibly to \$10,000 a year "if we could see our way clear." Lawmakers now earn \$2,400 a year.

Mahoney testified before a committee of Young Democrats studying reorganization and streamlining of the General Assembly, which is headed by George S. Wills, the new president of the Young Democratic Clubs of Maryland.

ASKED BY a panelist what he considered the most serious defects in the General Assembly's present structure, Mahoney replied:

"I am not prepared to say we have defects... I suppose we could improve upon it... I don't see how we can make any changes other than personalities."

He suggested, however, that the Legislature's work could be speeded up by automating its clerical aspects, and was critical of lawmakers who shirk their duties.

"I don't see any sense in dragging out the Legislature the way they do," he said. "We could have more hurried sessions. Many members don't take their jobs very seriously, but I'm not criticizing, because too many members are serious."

Asked if he favored spreading the workloads of the Ways and Means and Judiciary Committees, which process 80 percent of the bills, Mahoney said:

"THAT'S A VERY, very constructive suggestion... but I'd like to feel my way and make sure my moves would be good ones so they wouldn't disrupt the Legislature."

Mahoney was asked if he favored a balanced budget which is now required by law, or if he would change the Constitution to permit deficit financing.

"A balanced budget is the most wonderful thing I can imagine," he said. "I hope the day will come when we can continue to have a balanced budget."

Questioned on whether he favored having a member of the Legislature on the Board of Public Works, which now comprises the governor, comptroller and the state treasurer, Mahoney said:

"I don't think I want changes at this moment until I learn more about it."

## URGES MODERNIZATION OF LEGISLATURE

George S. Wills, chairman of the Commission on the General Assembly, this week urged modernization of Maryland legislative practices. Before a meeting of the Cockeysville Lions Club, Mr. Wills stated that "after examining the Maryland General Assembly's operations during the hearings of the General Assembly Commission, I have come to conclusion that the legislature cannot meet the demands of 20th Century Maryland.

"There is no cure-all for more legislative efficiency, but realistic changes can be made in House and Senate organization, committee operations, staffing, and physical facilities."

The Wills Commission on the General Assembly is a bipartisan, citizens' committee organized to bring the issue of legislative organization into the public record.

THE CANDIDATE was then asked if he favored consideration of a unicameral legislature as an alternative to the present two-house system.

"With my not being too enlightened on the Legislature," he replied, "I'll go along with what we have. If you go along and change everything you get in hot water."

Mahoney then criticized members of the Legislature "who know so little about the budget it's amazing."

"I think there has got to be an educational program put on by the governor's office to make sure they know what's going on with the budget," Mahoney said. "I don't want a rubber stamp Legislature — I don't want them to say 'Yes.' I want them to know, to understand."

Mahoney cautioned that the Legislature might not approve a \$10,000-a-year salary for itself because "it might provoke competition from men willing to leave big business to help us run the state."

## STUDY POINTS TO REFORMS IN ASSEMBLY

### Would Upgrade Status, Modernize And Add Responsibilities

By OSWALD JOHNSTON

A self-appointed citizens commission to study the General Assembly will recommend next month a wide-ranging program of reforms to modernize the Legislature and upgrade the status of its members.

The effect of the reforms would be to increase legislative responsibility in State Government, especially over such areas as the budget.

The proposals also would spread that responsibility among legislative committees more equitably than at present by cutting the standing committees in the House and Senate to five and encouraging them to meet all year around.

#### Other Reforms Listed

Other reforms will include the following:

1. To raise the salary of legislators from the present \$2,400 to a figure between \$6,000 and \$7,000 but eliminate the whole system of unreported expenses that raises the actual pay of lawmakers to about \$4,500.

2. To extend the legislative session to 90 days.

3. To provide money to increase office space, enlarge office staff and establish an automated data processing system that would be accessible to all members of the General Assembly.

4. To adopt a stringent new conflict-of-interest code.

The commission, organized by George S. Wills, of the Johns Hopkins University administrative staff, was formed last March by Maryland Young Democrats, and subsequently became a bipartisan citizens effort.

It has taken testimony from Governor Tawes, Governor-elect Agnew and most leaders of the House of Delegates and the Senate.

News Media Commentary  
on Sections I, III, IV,  
& V of the Report.

(See Table of Contents)

#### To Be Made Public Soon

Part of the study has been carried out in cooperation with Dr. Donald Herzberg, of Rutgers University, who also has been conducting a long-range study of the Maryland Legislature.

A final draft of the report is at present in the hands of commission members, and will be made public early next month.

The report, largely an accumulation of suggested changes in organization and procedure, also includes a section based on legislators' replies to a detailed questionnaire.

This quizzed the lawmakers  
(Continued, Page 20, Column 8)

### Assembly Study Urges Upgrading

By OSWALD JOHNSTON

(Continued from Page 26)

about such sensitive topics as office space in Annapolis, the competence of the legislative leadership and the State House "power structure."

The replies, which were anonymous, came from more than half the legislators and were described by a commission spokesman as "surprisingly frank."

One, for instance, answered the question "Is the leadership well-informed?" with the plaintive reply:

"I am supposed to be one of them."

## ANSWER OFFERED TO ASSEMBLY JAM

### Wills Committee Submits Streamlining Ideas

By OSWALD JOHNSTON  
(Continued from Page C18)

only 28 days for them to be debated, amended and passed.

2. A "consent calendar" on which non-controversial bills can be listed in advance and moved automatically through the legislative process.

#### Follow Same Route

At present nearly 80 per cent of the bills passed in any session are passed unanimously. However, all such bills still must follow the same complex route of amendment and debate that was devised to give more controversial legislation a public airing.

According to the Wills commission report, the proposed rules would act together to ease the "legislative log jam" that regularly forms at the end of each session.

The consent calendar procedure, Mr. Wills pointed out yesterday, would remove from the regular schedule most bills that legislators regard as merely routine, "thereby increasing the amount of time available for consideration of major pieces of legislation."

That time would be increased further, he said, if bills could be filed before the session begins. The commission report recommends extending by a week the 28 days now allowed for the actual passage of legislation.

The commission deliberately chose November 15—safely after election day—as the earliest date on which pre-session filing should be allowed.

According to the report, the decision was based on the testimony of commission witnesses that legislators otherwise "might attempt to make political capital" by preparing "a mass of pre-filed bills" without any serious intention of getting them passed.

## ANSWER OFFERED TO ASSEMBLY JAM

### Wills Committee Submits Streamlining Ideas

By OSWALD JOHNSTON

A citizens commission which has been studying the organization of the General Assembly recommended yesterday two rules changes to streamline the process of moving bills through the Legislature.

The proposals form part of a report that the commission, headed by George S. Wills, is preparing for publication before the General Assembly convenes January 18.

#### Changes Asked

If the proposed rules are adopted, future sessions will see:

1. A procedure under which members of both houses would be allowed to file bills as early as November 15—a full two months before the General Assembly normally convenes. At present, all bills must be filed within the first six weeks of the session, leaving  
(Continued, Page C9, Column 5)

### REVAMP—From Page C1

## 3 Legislative Changes Urged by Maryland Unit

bills from the list later, but the measures not stricken would advance automatically, with the implicit consent of the lawmakers, on an established time schedule to final passage.

This procedure would expedite passage of the noncontroversial bills and give the Legislature more time to consider the major measures, the Commission said.

In calling for a change of rules to allow pre-filing of bills before legislative sessions begin, the Commission noted that at present, bills can be introduced only during the first 42 days of the annual sessions. "The result is a legislative logjam . . . which imposes an unnecessary burden on legislators, bill-drafters and staff," the Commission said.

By allowing earlier introduction of legislation, and establishing an earlier cut-off date, the lawmakers would be able to give more thought to the bills they introduce, in addition to allowing more time for discussion of them.

The Commission's third proposal strikes at a rule that allows an automatic 24-hour postponement in consideration of a bill when an amendment to it is introduced in the House.

The Commission said this regulation "operates to hamper the efficiency and responsibility" of the Legislature and often leads to the "procedural death" of legislation.

The Commission recommended that after one 24-hour postponement has been granted for an amendment, further delays be limited to one hour.

## Group Urges 3 Changes in Legislature

A bipartisan citizens' commission that conducted a ten-month study of the Maryland General Assembly yesterday proposed three key changes in the consideration of legislation.

The commission recommended:

- Establishment of a consent calendar along Congressional lines to enable the Legislature to pass noncontroversial bills routinely without time-consuming procedures.

- Provision for legislators to introduce bills before the annual sessions begin to allow more time for their consideration, with a ban on introduction of bills during the last 35 days of a session.

- Modification of a current legislative rule that permits lawmakers to postpone consideration of some measures from day to day by introducing "frivolous" amendments to them.

#### Other Recommendations

The proposals were contained in a partial report by the Citizens' Commission on the General Assembly, headed by George S. Wills, associate public relations director of Johns Hopkins University in Baltimore.

Last week, in the first part of its report, the Commission recommended that legislative sessions be extended from 70 to 90 days and that salaries be raised and expense accounts be abolished for the lawmakers.

The Commission's full report, including other proposals to revamp the General Assembly's organization and operations, will be issued before the Legislature convenes Jan. 18.

The Commission noted yesterday that the Legislature unanimously passes at least 75 per cent of the bills that come to final votes.

Presently such measures are subject to the same time-consuming administrative procedures as major bills that provoke debate.

#### Consent Calendar

As outlined by the Commission, a consent calendar could be established as a listing of all bills that lawmakers consider to be noncontroversial.

The legislators could strike

See REVAMP, C2, Col. 1

The Washington Post  
TUESDAY, JANUARY 3, 1967